

A bill for an act  
relating to civil liability; limiting admission of criminal history evidence in  
actions against private employers; proposing coding for new law in Minnesota  
Statutes, chapter 181.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[181.986] EMPLOYMENT OF INDIVIDUAL WITH CRIMINAL  
HISTORY; LIMITATION ON ADMISSIBILITY OF EVIDENCE.**

**Subdivision 1. Limitation on admissibility of criminal history.** Information  
regarding a criminal history record of an employee or former employee may not be  
introduced as evidence in a civil action against a private employer or its employees or  
agents that is based on the conduct of the employee or former employee, if:

(1) the duties of the position of employment did not expose members of the public to  
a greater degree of risk than that created by the employee or former employee interacting  
with the public outside of the duties of the position or that might be created by being  
employed in general;

(2) before the occurrence of the act giving rise to the civil action, a court order sealed  
any record of the criminal case or the employee or former employee received a pardon; or

(3) the record is of an arrest or charge that did not result in a criminal conviction.

**Subd. 2. Relation to other law.** This section does not supersede a statutory  
requirement to conduct a criminal history background investigation or consider criminal  
history records in hiring for particular types of employment.

**EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to  
actions commenced on or after that date.